IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

WP(C).No. 2452 of 2007(P)

PETITIONER:

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1. SANAL K.,
   SULATHALAYAM, TC.76/314, ANAYARA P.O.,
   THIRUVANANTHAPURAM-695 029.

2. MANSY M.,
   MANSY BHAVAN, NANNATTUKAVU, POTHENCODE P.O.,
   THIRUVANANTHAPURAM-695 584.

3. SAJEENA J.,
   SAJEED MANZIL, VAVARA AMBALAM, POTHENCODE P.O.,
   THIRUVANANTHAPURAM-695 584.

4. ROJA J.S.,
   AMBADI, KATTAYIKONAM, KATTAYIKONAM P.O.,
   THIRUVANANTHAPURAM-695 584.

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:

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1. KERALA PUBLIC SERVICE COMMISSION,
   REPRESENTED BY ITS SECRETARY, PATTOM P.O.,
   THIRUVANANTHAPURAM-4.

2. STATE OF KERALA,
   REPRESENTED BY THE SECRETARY, SOCIAL WELFARE
   DEPARTMENT, SECRETARIAT,THIRUVANANTHAPURAM.

3. DIRECTOR,
   SOCIAL WELFARE DEPARTMENT, VIKAS BHAVAN,
   THIRUVANANTHAPURAM.

R1 BY SC SHRI. P.C.SASIDHARAN
R2 & 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/01/2007, ALONG WITH WPC NO. 2523 OF 2007 & WPC NO. 2587 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)Nos. 2452, 2523 & 2587 OF 2007

Dated this the 24th January, 2007.

JUDGMENT

These writ petitions raise an identical question and therefore disposed of by this common judgment. The petitioners are candidates before the respondent-Public Service Commission seeking for appointment to the post of District Probation Officer in the Social Welfare Department. The notification issued by the Commission as well as the relevant rules requires the candidates to possess certain essential qualifications. A bachelors degree in Social Work or Social Services is one of the qualifications. Some of the petitioners possess a Post Graduate Degree in Sociology. But none of them possesses a degree in Social Work or Social Services. The respondent-Commission has taken up the stand that the petitioners are not qualified, and therefore, they cannot be permitted to participate in the further selection process including interview.

2. Counsel for the Commission has brought to my notice the judgment of the Division Bench of this Court in **Mukesh v. State of Kerala** {2006(4) KLT 1023}. It appears that the ratio of the above decision squarely applies to the point raised for consideration in these writ petitions.

Precisely the issue discussed in the above judgment is the same and the ultimate finding is against the petitioners. The Division Bench has held that unless the candidates possess a degree in Social Work or Social Services, they have no right to participate in the selection process. It follows that these writ petitions are liable to be dismissed. I do so.

K.K.DENESAN
Judge

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